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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Deshawn Briggs, et al.,

10 Plaintiffs,

11 v.

12 Allister Adel, et al.,

13 Defendants.
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No. CV-18-02684-PHX-EJM

ORDER

15 Having reviewed the Stipulated Motion to Dismiss with Prejudice All Claims and
16 All Requests for Relief Asserted Against County Defendants, With The Sole and
17 Exclusive Exception of Plaintiffs' Request for Attorneys' Fees and Costs Incurred Prior
18 to May 9, 2020 In Asserting Claims and Requests for Relief Against County Defendants,
19 Only, jointly filed by Plaintiffs Deshawn Briggs, Lucia Soria and Antonio Pascale, as
20 Personal Representative of the Estate of Mark Pascale, ("Plaintiffs") and Defendants
21 Maricopa County and Maricopa County Attorney Allister Adel ("County Defendants"),
22 and good cause appearing therefor, **IT IS HEREBY ORDERED** as follows:

- 23 1. GRANTING the Stipulated Motion to Dismiss with Prejudice All Claims and
24 All Requests for Relief Asserted Against County Defendants, With The Sole
25 and Exclusive Exception of Plaintiffs' Request for Attorneys' Fees and Costs
26 Incurred Prior to May 9, 2020 In Asserting Claims and Requests for Relief
27 Against County Defendants, Only (Doc. 196);
28 2. ORDERING that each and every claim and each and every request for relief

1 asserted by Plaintiffs against County Defendants in this case, including each
2 and every claim and each and every request for relief alleged by Plaintiffs
3 individually and as putative class representatives on behalf of putative classes
4 and on behalf of themselves as putative class members, including requests for
5 attorneys' fees and costs, is dismissed with prejudice, with the sole and
6 exclusive exception of Plaintiffs' request for their reasonable attorneys' fees
7 and costs incurred prior to May 9, 2020 in asserting claims and requests for
8 relief in this case against County Defendants, only.¹ Each side shall bear their
9 own attorneys' fees and costs incurred in negotiating and documenting the
10 partial settlement and related dismissal filings; and

- 11 3. ORDERING that with respect to Plaintiffs' request for reasonable attorneys'
12 fees and costs incurred prior to May 9, 2020 in asserting claims and requests
13 for relief in this case against County Defendants, only, Plaintiffs and County
14 Defendants shall file a joint status report notifying the Court of the status of
15 settlement negotiations with respect to such request on November 13, 2020,
16 November 20, 2020, and December 4, 2020. The Court will set a briefing
17 schedule for resolving such request under Rule 54, Fed. R. Civ. P., LRCiv.
18 54.1 and LRCiv 54.2, if Plaintiffs and County Defendants have not made
19 notification of reaching a settlement agreement with respect to such request on
20 or before December 4, 2020.

21 IT IS SO ORDERED.

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25 ¹ This includes not to exceed a total of one-half (50%) of nonsegregable reasonable
26 attorneys' fees and costs incurred in asserting claims and requests against both the
27 County Defendants and Defendant TASC. Each side will bear their own attorneys' fees
28 and costs incurred in settlement or litigation in relation to Plaintiffs' sole and exclusive
remaining request for relief against County Defendants, *i.e.*, Plaintiffs' request for
reasonable attorneys' fees and costs incurred prior to May 9, 2020 in asserting claims and
requests for relief in this case against County Defendants, only.

1 Dated this 2nd day of November, 2020.
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5 Eric J. Markovich
6 United States Magistrate Judge
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